

# **Town Board Minutes**

## **Meeting No. 29**

### ***Regular Meeting***

**October 2, 2000**

## ***Town Board Minutes***

October 2, 2000

Meeting No. 29

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 2<sup>nd</sup> day of October 2000 at 8:00 P.M. and there were

**PRESENT:** MARK MONTOUR, COUNCIL MEMBER  
GEORGETTE PELLETTERIE, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
RICHARD ZARBO, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
ROBERT LABENSKI, TOWN ENGINEER  
RICHARD SHERWOOD, TOWN ATTORNEY  
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR  
CHRISTINE FUSCO, ASSESSOR  
RICHARD REESE JR., HIGHWAY SUPERINTENDENT

### **PERSONS ADDRESSING TOWN BOARD:**

**Korc, Richard**, 4964 William Street, spoke to the Town Board on the following matter:

- Comments and questions re: the Aurora Market Site Plan approval.

**Salvatore, Lou**, 15 Parkdale Drive, spoke to the Town Board on the following matters:

- Comments re: the Aurora Market.
- Comments re: storm water & sanitary sewers.

**Luke, Russ**, 96 Maple Drive, spoke to the Town Board on the following matters:

- Comments re: the Garden Place Hotel site plan. Indicated that the owners of said hotel need to address the following:
  1. Electrical line
  2. Sprinkler line
  3. Lights

**Winsor, Lena**, 833 Erie Street, spoke to the Town Board on the following matters:

- Comments re: the votes of the Town Board.
- Comments re: the proposed resolution to amend lot sizes within the Town of Lancaster.

**Komendat, Larry**, 514 Hall Road, spoke to the Town Board on the following matter:

- Cited a 1993 magazine article which analyzed the effects of new construction impact fees on Cobb County, Georgia and San Diego, California.

**Krupa, Anthony**, 19 Bowen Avenue, spoke to the Town Board on the following matter:

- Asked if the Town Board has any information from Erie County which would indicate that the County has any intention to widen William Street.

**Scott, Ricky**, 16 Pinetree Drive, spoke to the Town Board on the following matter:

- Wishes to purchase a 66 foot parcel of Town owned land which is contiguous to his home. He asks that the Town Board considers selling this land and responds to him.

**Forys, John**, 8 Parkdale Drive, spoke to the Town Board on the following matter:

- He registered his disappointment that the Town Board did not increase the minimum lot size requirement for residential construction.

**Bastian, Norman**, 5747 Genesee Street, spoke to the Town Board on the following matter:

- Questioned the time and place of this month's public hearing on Community Development Block Grant.

**Kubicki, Gloria**, 15 Maple Drive, spoke to the Town Board on the following matters:

- Comments & questions re:
  1. The Aurora Market and the time of day that fuel deliveries are made.
  2. Plans for new buildings in English Park Village.
  3. Number of parking spaces planned at Garden Place Hotel.
  4. Letter from Bella Vista re: Lancaster Industrial Development Agency.

**Schneggenburger, Roy**, spoke to the Town Board on the following matters:

- Comments re: sump pump back up insurance.
- Comments re: the official newspaper of the Town of Lancaster.
- Comments re: Windsor Ridge South Subdivision.

**Stanko, John**, 10 Pleasant View Drive, spoke to the Town Board on the following matter:

- Concerns re: the Erie County Water Tank on Pleasant View Drive and the quality of water.
- Concerns re: the cellular communication cells located on the water tower.

**PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:**

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York designated as Chapter 46 of the Code of said Town.

The affidavits of publication of this Public Hearing are on file and a copy of the Public Notice has been posted.

**PROPONENTS**

None

**OPPONENTS**

None

**COMMENTS & QUESTIONS**

None

ON MOTION BY COUNCIL MEMBER STEMPIAK, AND SECONDED BY COUNCIL MEMBER MONTGOMERY AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:31 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

**PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**RESOLVED**, that the minutes from the Joint Meeting of the Town Board and the Planning Board held on September 18, 2000 and the Regular Meeting of the Town Board held on September 18, 2000 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 2, 2000

File: RMIN (P3)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, the Town of Lancaster intends to apply for Federal Community Development Funds, known as Community Development Block Grant funds for the year 2001-2002 and must identify eligible projects which would benefit low to moderate income persons in the Town, and

**WHEREAS**, the Town Board of the Town of Lancaster deems it in the public interest to hold a Public Hearing to provide an opportunity for citizens to express community development and housing needs and to discuss proposal to meet those needs to assist the Town Board in developing the Town application for Community Development Block Grant funds;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that a Public Hearing to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low and moderate income persons in the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 16th day of October, 2000, at 8:30 o'clock P.M., Local Time, and that Notice of the time and place of such Hearing be published in the Lancaster Bee, the Official newspaper and be posted on the Town Bulletin Board , which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 2, 2000

File: rcdbg.020

**NOTICE OF PUBLIC HEARING  
NOTICE TO CITIZENS  
OF THE  
TOWN OF LANCASTER**

A Public Hearing will be held on the 16th day October, 2000 at 8:30 o'clock P.M., Local Time, at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, regarding the use of Federal Community Development funds in the Town of Lancaster.

The Town of Lancaster is eligible for a Federal Community Development Grant under Title I of the Housing and Community Development Act of 1974, as amended.

The purpose of the Hearing is to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low and moderate income persons in the Town of Lancaster.

Citizens are urged to attend this meeting to make known their views and/or written proposals on the Town of Lancaster's selection of potential projects to be submitted for possible funding by the Federal Community Development Grant Program.

The Hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities. The meeting room is wheelchair accessible. Those needing special arrangements should call the Lancaster Town Clerk's Office at (716) 683-9028 by October 12, 2000.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN  
Town Clerk**

October 2, 2000

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ZARBO, TO WIT:

**WHEREAS**, a Public Hearing was held on the 2nd day of October, 2000 for the purpose of amending Chapter 46 - Vehicle and Traffic Ordinance of the Code of the Town of Lancaster; and persons for and against such amendment have had an opportunity to be heard, and

**WHEREAS**, a Notice of said Public Hearing was duly published and posted;

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on October 2, 2000;
3. That a Certified Copy thereof be published in the Lancaster Bee on October 5, 2000;
4. That a Certified Copy of the amendment be posted on the Town Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the Town Clerk;
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 2, 20000

File: rvtorda.000



**LEGAL NOTICE  
NOTICE OF ADOPTION  
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE  
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

NOTICE IS HEREBY GIVEN that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

**CHAPTER 46**

**STOP AND YIELD INTERSECTIONS**

§46-8, Stop Intersections designated, is hereby amended by adding thereto the following:

<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>SIGN LOCATION</u>
<b>SUMMERFIELD FARMS SUBDIVISION</b>		
add		
Summerfield Drive	Bowen Road	N/E Corner
Fairview Court	Summerfield Drive	N/E Corner
Summerfield Drive	Apple Blossom Blvd.	S/W Corner
Apple Blossom Blvd.	Summerfield Drive	S/E Corner
Apple Blossom Blvd.	Summerfield Drive	N/W Corner
Sugar Mill Court	Apple Blossom Blvd.	N/W Corner

October 2, 2000

STATE OF NEW YORK :  
COUNTY OF ERIE : ss:  
TOWN OF LANCASTER :

**THIS IS TO CERTIFY** that I, **JOHANNA M. COLEMAN**, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 2nd day of October, 2000, and that the same is a true and correct copy of said original, and of the whole thereof.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the Seal of said Town, this 2nd day of October, 2000.

\_\_\_\_\_  
Johanna M. Coleman, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS, Precision Dental Ceramics, Inc.** has submitted a Site Plan prepared by Jeffrey P. Zack, PE, dated August 21, 2000 and received August 22, 2000 for the renovation of an existing 2,300 structure and demolition and rebuild of 1,200 sq. ft. office building located on 5204 Genesee Street, Bowmansville, in the Town of Lancaster, and

**WHEREAS,** at its meeting September 6, 2000 the Planning Board reviewed the plan, and recommended approval of this project, and

**WHEREAS,** this project has been reviewed for SEQR purposes and it has been determined that no further SEQR review is necessary;

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Town Board of the Town of Lancaster hereby approves the Site Plan., submitted by Precision Dental Ceramics, Inc., and prepared by Jeffrey P. Zack, P.E., New York, dated August 21, 2000 and received August 22, 2000 for the renovation of an existing 2,300 sq. ft. structure and the demolition and rebuild of a 1,200 sq. ft. office building located at 5204 Genesee Street, Bowmansville, in the Town of Lancaster, New York, subject to the following condition:

- Landscape plan to be submitted to Town Board with prior approval by Crew Chief Terrence McCracken.
- Submit proper drainage corrections;
- Permit required from New York State Department of Environment and Planning for storm water discharge to protected streams.

The question of the adoption of the following resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 2, 2000

File: rasite3.000

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, Dean Sutton Architects, 3284 Walden Avenue, Depew, New York 14043 has prepared and submitted a Site Plan dated July 24, 2000 and received August 22, 2000 for the construction of a 3,360 ± sq. ft. addition to an existing facility (Home Insulation & Supply, Inc.) located at 154 Cemetery Road, in the Town of Lancaster, and

**WHEREAS**, at its meeting September 6, 2000 the Planning Board reviewed the plan, and recommended approval of this project, and

**WHEREAS**, this project has been reviewed for SEQR purposes and it has been determined that no further SEQR review is necessary;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the Site Plan., prepared and submitted by Dean Sutton Architects, 3284 Walden Avenue, Depew New York and dated July 24, 2000 and received August 22, 2000 for the construction of a 3,360 sq. ft. addition to an existing facility (Home Insulation & Supply, Inc., located at 154 Cemetery Road, in the Town of Lancaster, New York, subject to the following condition:

-- Drainage plan with a retention pond to be submitted to Town Engineer

The question of the adoption of the following resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 2, 2000

File: rasite2.000

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, Daryl Martin, Architect, 3625 Eggert Road, Orchard Park, New York 14127 has prepared and submitted a Site Plan dated September 5, 2000 and received September 5, 2000 for the construction of a 4,400 ± sq. ft. addition to the Garden Place Hotel facility located at 6615 Transit Road, in the Town of Lancaster, and

**WHEREAS**, at its meeting September 20, 2000 the Planning Board reviewed the plan, and recommended approval of this project, and

**WHEREAS**, a SEQR review was held on this project on October 2, 2000 and a Negative Declaration was issued at that time.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the Site Plan., prepared and submitted by Daryl Martin, Architect, 3625 Eggert Road, Orchard Park, New York and dated September 5, 2000 for the construction of a 4,400± sq. ft. addition to the Garden Place Hotel facility located at 6615 Transit Road, in the Town of Lancaster, New York, subject to the following conditions:

- compliance with the town ordinance regarding parking spaces to be reviewed and confirmed by the Building Inspector;
- compliance with proper setback requirements;

The question of the adoption of the following resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED NO
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED NO
SUPERVISOR GIZA	VOTED YES

October 2, 2000

File: rasite1.000

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ZARBO, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50 - Zoning - Section 17 (F) of the Code of the Town of Lancaster, upon the application of **Joseph Todaro** for a Special Use Permit for a Home Occupation (vehicle wholesales) on property locally known as 22 Hillside Parkway, Lancaster, New York , and

**WHEREAS**, persons for and against such Special Use Permit have had an opportunity to be heard;

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That pursuant to Chapter 50 - Zoning - Section 17(F) of the Code of the Town of Lancaster, the Town Board of the said Town does hereby grant a Special Use Permit to **Joseph Todaro** for vehicle wholesales on premises locally known as 22 Hillside Parkway, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance, and

2. This Special Use Permit shall be conditioned as follows:

- There shall be no sign on premises, however lettering on mailbox will be permitted.
- There shall be no unlicensed vehicles on premises.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 2, 2000

File: rasup.000

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MONTOUT, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPIAK, TO WIT:

**WHEREAS**, the General Crew Chief, by letter dated September 27, 2000, has requested the appointment of a seasonal employee in the Parks, Recreation and Forestry Department of the Town of Lancaster for the fall/winter seasons of 2000/2001, and

**WHEREAS**, this appointment is necessary due to a previously appointed employee declining the position.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following individual is hereby appointed to the position of seasonal employee for the fall/winter seasons of 2000/2001 in the Parks, Recreation and Forestry Department of the Town of Lancaster, with no benefits at the following hourly rate:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
Luke Baecker (Rehire) 72 Country Place, Lancaster	Lifeguard	\$7.25 hr.

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUT	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 2, 2000  
File: Rpers.seasonal (P7)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, Michael Elhage, 697 Orchard Park Road, West Seneca, New York  
has submitted a Site Plan prepared by Tredo Engineers, dated August 21, 2000 and received August  
28, 2000 for the construction of a 7,500 sq. ft. retail center and convenience store (**Aurora Market**)  
at the northeast corner of William and Aurora Streets, in the Town of Lancaster, and

**WHEREAS**, at its meeting September 6, 2000 the Planning Board reviewed  
the plan, and recommended approval of this project, and

**WHEREAS**, a SEQR review of this project was held on September 18, 2000  
and a Negative Declaration was issued at that time;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves  
the Site Plan., submitted by Michael Elhage, and prepared by Tredo Engineers, dated August 21,  
2000 and received August 28, 2000 for the construction of a 7,500 sq. ft. retail center and  
convenience store (**Aurora Market**) located at the northeast corner of William and Aurora Streets  
in the Town of Lancaster, subject to the following conditions:

- Additional plantings on the north property line, as approved  
by General Crew Chief Terrence McCracken;
- Lighting to be directional and shielded;
- Recessed lighting under canopy with low intensity bulbs and  
skirt around canopy;
- Pipe ditches on both Aurora and William Streets in accordance  
with Erie County regulations, applicant to provide the pipe;
- The 7-foot fence to be board-on-board; and
- Legal interpretation of placement of dumpster to be made by Deputy Town  
Attorney.
- Delivery of fuel to be limited to the hours of 7:00 P.M. through 9:00 P.M.  
inclusive.

The question of the adoption of the following resolution was duly put to a vote on  
roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETIERIE	VOTED NO
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED NO
SUPERVISOR GIZA	VOTED YES

October 2, 2000  
File: rasite5.000

**PREFILED RESOLUTION NO. 10 - MEETING OF 10/02/00**

Stempniak/ \_\_\_\_\_ Approve Site Plan Kingdom Hall of Jehovah's Witnesses

At the request of Council Member Stempniak, this resolution was withdrawn  
for further study.



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER PELLETTERIE, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ZARBO, TO WIT:

**WHEREAS**, a Public Hearing was held on the 18th day of September, 2000,  
for the purpose of amending Chapter 50-Zoning, Article IV, §50-10 ( C ) ( 1 ) ( a ) and ( b ) and ( C ) ( 2 )  
( a ) and ( b ) and §50-11 ( C ) ( 1 ) ( a ) and ( b ) and ( C ) ( 2 ) of the Code of the Town of Lancaster,  
and

**WHEREAS**, persons for and against such amendment have had an opportunity  
to be heard, and

**WHEREAS**, a Notice of Public Hearing was duly published and posted, and

**WHEREAS**, the Town Board has recommended the proposed amendment of  
the Code of the Town of Lancaster, County of Erie;

**NOW, THEREFORE, BE IT  
RESOLVED**, as follows:

1

That Section 50 -Zoning- Article IV, §50-10 ( C ) ( 1 ) ( a ) and ( b ) and ( C ) ( 2 ) ( a )  
and ( b ) and §50-11 ( C ) ( 1 ) ( a ) and ( b ) , ( C ) ( 2 ) , of the Code of the Town of Lancaster, County of  
Erie, and State of New York, be and hereby is amended to read as follows:

**CHAPTER 50-ZONING  
ARTICLE IV  
RESIDENTIAL DISTRICTS**

.....  
**§50-10. Residential District One (R-1).**  
.....

**C. Design regulations for principal structures and uses.**

**“(1)Minimum lot area per dwelling shall be amended  
to read as follows:**

**(a) Public sewerred: twelve thousand five hundred  
(12,500) square feet;**

**(b) Public sewerred corner lot: thirteen thousand  
seven hundred seventy-five (13,775) square feet.”**

(2) Minimum width of lot abutting a dedicated street  
(a) and (b) shall be amended to read as follows:

“(a) Public sewer: One hundred (100) feet.

(b) Public sewer corner lot: One hundred (100) feet”

§50-11. Residential District Two (R-2).

.....

C. Design regulations for principal structures and uses.

(1) Minimum lot area (a) and (b) shall be amended  
to read as follows:

“(a) Public sewer: ten thousand (10,000)  
square feet.

(b) Corner lot (public sewer) eleven thousand  
two hundred fifty (11,250) square feet.”

(2) “Minimum width of lot abutting a dedicated street . . .”  
shall be amended to read as follows:

“(2) Minimum width of lot abutting a dedicated  
street: eighty (80) feet.”

2. That said amendment be added in the minutes of the meeting of the Town Board  
of the Town of Lancaster held on the 2nd day of October, 2000;

3. That a certified copy of this amendment be published in the Lancaster Bee on  
October 5, 2000;

4. That a certified copy of this Amendment be posted on the Town Bulletin Board;  
and

5. That Affidavits of Publication and Posting be filed with the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll  
call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED NO
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED NO
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED NO

October 2, 2000  
File: rzonorda.000

**LEGAL NOTICE  
NOTICE OF ADOPTION  
AMENDMENT OF CHAPTER 50 ZONING  
TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN** that Chapter 50, Zoning , Article IV, §50-10 ( C ) (1) (a) and (b) and ( C ) (2) (a) and (b) **and** §50-11 ( C ) (1) (a) and (b) of the Code of the Town of Lancaster be and is hereby amended to read as follows:

**CHAPTER 50-ZONING  
ARTICLE IV  
RESIDENTIAL DISTRICTS**

**§50-10. Residential District One (R-1).**

.....

**C. Design regulations for principal structures and uses.**

- (1) Minimum lot area per dwelling shall be amended to read as follows:**

**“(a)Public sewered: twelve thousand five hundred (12,500) square feet;**

**(b) Public sewered corner lot: thirteen thousand seven hundred seventy-five (13,775) square feet.”**

- (2) Minimum width of lot abutting a dedicated street (a) and (b) shall be amended to read as follows:**

**“(a) Public sewered: One hundred (100) feet.**

**(b) Public sewered corner lot: O n e h u n d r e d ( 1 0 0 ) f e e t ”**

**§50-11. Residential District Two (R-2).**

.....

**C. Design regulations for principal structures and uses.**

- (1) Minimum lot area (a) and (b) shall be amended to read as follows:**

**“(a) Public sewered: ten thousand (10,000) square feet.**

**(b) Corner lot (public sewered) eleven thousand two hundred fifty (11,250) square feet.**

- (2) “Minimum width of lot abutting a dedicated street . . . ” shall be amended to read as follows:**

**“(2) Minimum width of lot abutting a dedicated street: eighty (80) feet.”**

October 2, 2000

**STATE OF NEW YORK :**  
**COUNTY OF ERIE : ss:**  
**TOWN OF LANCASTER :**

This is to certify that **I, Johanna M. Coleman**, Town Clerk of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of an Ordinance Amendment with the original thereof filed in my office at Lancaster, New York, on the 2nd day of October, 2000 and that the same is a true and correct copy of said original, and of the whole thereof.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of said Town this 2nd day of October, 2000

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Johanna M. Coleman, Town Clerk

(SEAL)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY, COUNCIL MEMBER STEMPIAK , WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ZARBO, TO WIT:

**WHEREAS, Uniland Development Company, 100 Corporate Parkway,**  
Amherst, New York, the contract vendee of a parcel of property located on the northwest corner  
of Walden Avenue and Pavement Road (No .4106 Walden Avenue and No. 502 Pavement Road)in  
the Town of Lancaster, New York, has petitioned the Town Board of the said Town for the rezone  
of said property from an RCO -Residential Commercial Office District and AR-Agricultural  
Residential District to an LI-Light Industrial District, and

**WHEREAS,** the Petition has been referred to the Planning Board of the Town  
of Lancaster for its recommendation and report;

**NOW, THEREFORE, BE IT**

**RESOLVED,** that pursuant to Sections 130 and 265 of the Town Law of the  
State of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21  
Central Avenue, Lancaster, New York, on the 16th day of October, 2000, at 8:40 o'clock P.M.,  
Local Time, and that Notice of the time and Place of such Hearing be published in the Lancaster  
Bee, a newspaper of general circulation in said Town and be posted on the Town Bulletin Board,  
and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant  
to Section 239 (m) of the General Municipal Law, which Notice shall be in form attached hereto  
and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 2, 2000

File: rrezunil.000

**LEGAL NOTICE  
PUBLIC HEARING  
REZONE - UNILAND  
NORTHWEST CORNER OF WALDEN AVENUE  
AND PAVEMENT ROAD  
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 2nd day of October, 2000 the said Town Board will hold a Public Hearing on the 16th day of October, 2000, at 8:40 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property located on the northwest corner of Walden Avenue and Pavement Road (No. 4106 Walden Avenue and No. 502 Pavement Road) in the Town of Lancaster, New York, from an RCO-Residential Commercial Office District and AR-Agricultural- Residential District to an LI-Light Industrial District:

**ZONE "RCO" TO "LI"**

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of Lancaster, County of Erie and State of New York, being parts of Lots 8 and 10, Section 5, Township 11 and Range 6 of the Holland Land Company's Survey, bounded and described as follows:

**BEGINNING** at a point in the easterly line of said Lot 8 in the center of Pavement Road (as a 66 foot wide road) at its point of intersection with the northerly line of Walden Avenue (as a 99 foot wide road);

**RUNNING THENCE** northerly along the easterly line of said Lot 8 also being the centerline of said Pavement Road, a distance of 255.51 feet to a point on the division line between Lone RCO and Zone AR;

**THENCE** westerly along said division line between Zone RCO and Zone AR and parallel with the northerly line of said Walden Avenue at an interior angle of  $78^{\circ}37'48''$ , a distance of 2,714.12 feet to a point on the west line of Lot 10;

**THENCE** southerly along the west line of Lot 10 at an interior angle of  $101^{\circ}29'59''$  a distance of 255.63 feet to a point on the northerly line of said Walden Avenue;

**THENCE** easterly along the northerly line of said Walden Avenue, at an interior angle of  $78^{\circ}30'01''$ , a distance of 2714.71 feet to the point and place of beginning.

**ZONE "AR" TO "LI"**

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of Lancaster, County of Erie and State of New York, being parts of Lots 9 and 10 in Section 5, Township 11 and Range 6 of the Holland Land Company's Survey, bounded and described as follows:

**BEGINNING** at a point in the easterly line of said Lot 8 in the center of Pavement Road (as a 66 foot wide road) at its point of intersection with the northerly line of Walden Avenue (as a 99 foot wide road);

**RUNNING THENCE** northerly along the easterly line of said Lot 8 also being the centerline of said Pavement Road, a distance of 255.51 feet to a point on the division line between Zone RCO and Zone Ar, said point being the true point and place of beginning;

**THENCE** continuing northerly along the easterly line of said Lot 8, also being the centerline of said Pavement Road a distance of 1,668.39 feet to a point of intersection with the centerline of Pleasantview Road (as a 66 foot wide road);

**THENCE** westerly along the centerline of said Pleasantview Road, a distance of 1,317.12 feet to a point on the west line of Lot 8 also being the east line of Lot 10;

**THENCE** continuing along the centerline of said Pleasantview Road at an exterior angle of  $155^{\circ}36'54''$  a distance of 504.95 feet to a point;

**THENCE** southerly along a line at an exterior angle of  $111^{\circ}50'31''$  a distance of 290.49 feet to a point;

**THENCE** westerly along a line at an exterior angle of  $92^{\circ}41'09''$  a distance of 867.91 feet to a point on the west line of Lot 10;

**THENCE** southerly along the west line of Lot 10 at an interior angle of  $91^{\circ}11'02''$  a distance of 2,077.32 feet to a point on the division line between Zone RCO and AR;

**THENCE** easterly along the division line between Zone RCO and AR and parallel with the northerly line of Walden Avenue at an interior angle of  $101^{\circ}29'59''$  a distance of 2,714.12 feet to the True point and place of beginning.

**EXCEPTING AND RESERVING THEREFROM** lands conveyed to Iroquois Gas Corporation by deed recorded in Liber 7680 of Deeds at page 571.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: JOHANNA M. COLEMAN  
Town Clerk

October 2, 2000

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**WHEREAS**, English Park Village Land Company, Inc., 1430 Millersport Highway, Williamsville, New York has submitted a site plan dated November, 1999 and revised January 12, 2000 and August 22, 2000, and received August 24, 2000 for the revision of two buildings and expansion of additional buildings to result in a five-building project totaling 53,144 sq. feet on property located on 348 Harris Hill Road in the Town of Lancaster, and

**WHEREAS**, at its meeting September 20, 2000 the Planning Board reviewed the revised plan, and recommended approval of this project, and

**WHEREAS**, a SEQR review of this project was held on October 2, 2000 and a Negative Declaration was issued at that time;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by English Park Village Land Company, LLC, and prepared by C & S Engineers, dated November, 1999, revised January 12, 2000 and August 22, 2000, and received August 24, 2000 for the revision of two buildings and expansion of additional buildings to result in a five-building project totaling 53,144 square feet on property located on 348 Harris Hill Road in the Town of Lancaster, subject to the following conditions:

- Numbering system to be put in place and  
Petitioner shall meet with Town Building Inspector  
and Town Police Chief to set up a more orderly  
numbering system.

The question of the adoption of the following resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 2, 2000

File: rasite6.000



THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
ZARBO, TO WIT:

**WHEREAS**, Robert H. Giza, Budget Officer of the Town of Lancaster, on September 29, 2000, duly filed the tentative budget of said Town for the fiscal year beginning January 1, 2001, with the Town Clerk of said town, and

**WHEREAS**, the Town Clerk of the Town of Lancaster, duly submitted said tentative budget to the Town Board on September 29, 2000,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the said tentative budget is hereby approved as and shall become the preliminary budget of the Town of Lancaster for the fiscal year beginning January 1, 2001, and

**BE IT FURTHER**

**RESOLVED**, that said preliminary budget shall be filed in the Office of the Town Clerk of the Town of Lancaster and be made available by her to the public for inspection during the regular business hours of the Town Clerk's Office, and

**BE IT FURTHER**

**RESOLVED**, that a Public Hearing on the Preliminary Budget of the Town of Lancaster for the year 2001, be held by this Town Board at the Town Hall, 21 Central Avenue, Lancaster, New York on the 16<sup>th</sup> day of October 2000, at 9:00 o'clock P.M., Local Time, and

**BE IT FURTHER**

**RESOLVED**, that a Legal Notice of said Public Hearing upon the 2001 Preliminary Budget, as required by Section 108 of the Town Law of the State of New York, be published in the Lancaster Bee, on October 5, 2000 which Notice shall be in the form attached hereto and made a part hereof and which date of publication is not less than five (5) days prior to the public hearing.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 2, 2000

**LEGAL NOTICE  
TOWN OF LANCASTER  
NOTICE OF PUBLIC HEARING  
ON THE 2001 PRELIMINARY BUDGET**

**NOTICE IS HEREBY GIVEN**, that the Preliminary Budget of the Town of Lancaster, for the fiscal year beginning January 1, 2001, has been filed in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, where it is available for inspection by any interested persons during office hours.

**FURTHER NOTICE IS GIVEN**, that the Town Board of the Town of Lancaster will meet and review said Preliminary Budget and hold a Public Hearing thereon at the Town Hall, 21 Central Avenue, Lancaster, New York, at 9:00 o'clock P.M., Local Time, on the 16<sup>TH</sup> day of October 2000, and at such hearing, any person may be heard in favor of or against the Preliminary Budget as compiled, or for or against any item or items therein contained.

Pursuant to Section 108 of the Town Law, the proposed annual salaries of the following Town Officers are specified as follows:

Supervisor - as Supervisor	\$55,000.00
- as Budget Officer	\$6,000.00
Council Member	\$14,299.00
Council Member	\$14,299.00
Council Member	\$14,299.00
Council Member	\$14,299.00
Town Justice	\$30,945.00
Town Justice	\$30,945.00
Town Clerk - as Town Clerk	\$52,561.00
- as Records Management Officer	\$4,828.00
- as Registrar of Vital Statistics	\$900.00
- as Clerk to Zoning Board of Appeals	\$2,507.00
Superintendent of Highways	\$55,000.00

**BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF LANCASTER**

BY: JOHANNA M. COLEMAN, Town Clerk

October 2, 2000

File: rbudgets (P2-4)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER ZARBO, TO WIT:

**WHEREAS**, the Town Board, on behalf of all the Special Districts and Special Improvement Districts, upon which the cost of maintenance is required by law to be apportioned and assessed in proportion to the amount of the benefits conferred, has duly prepared detailed estimates in writing of the anticipated revenues and expenditures for such districts to determine the amount of money required to meet the expense of maintaining same, and

**WHEREAS**, the Town Board has assessed the amount of said estimates on several lots against which the expense of the Improvement was charged in proportion to the amount of benefit conferred, and

**WHEREAS**, Assessment Rolls were duly prepared according to law and said assessment rolls were duly filed in the Office of the Town Clerk,

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That a Public Hearing is hereby called and shall be held on the 16<sup>TH</sup> day of October 2000, at 8:50 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, at which time and place this Town Board will meet to consider the aforementioned Special Districts Budget for the Year 2001, and to hear all persons interested in the subject matter thereof, and concerning the same, and

2. That a Legal Notice of said Public Hearing be published in the Lancaster Bee on October 5, 2000, which Notice shall be in the form attached hereto and made a part hereof and which date of publication is not less than ten (10) nor more than twenty (20) days prior to the public hearing.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 2, 2000

**LEGAL NOTICE**  
**TOWN OF LANCASTER**  
**NOTICE OF PUBLIC HEARING**  
**UPON THE 2001 SPECIAL DISTRICTS BUDGET**

**NOTICE IS HEREBY GIVEN**, that the Town Board of the Town of Lancaster, New York, has completed its estimates and assessment roll relating to Special Districts, spreading costs on a benefit basis, and has filed same with the Town Clerk for the following districts for the year 2001:

Consolidated Water District

Sanitary Sewer District Number 1 - Glendale and Parkdale

Sanitary Sewer District Number 2

Sanitary Sewer District Number 4

Sanitary Sewer District Number 6 - Ward Road

Sanitary Sewer District Number 7 - Walden Avenue and Enterprise Drive

Sanitary Sewer District Number 8 - Fox Valley

Sanitary Sewer District Extension Numbers 1, 2, 3 and 4 to Sanitary Sewer District Number 2

Sanitary Sewer Lateral Districts Numbers 1 and 2, and Meadow Lea Estates, Lancaster Heights, Markey Avenue, South Broezel, Ronald Drive-Charlton Place and Botimer Place, within Sanitary Sewer District Number 2

Consolidated Lighting District Number 1

Fire Protection District

Refuse and Garbage District

and,

**FURTHER NOTICE IS GIVEN**, that a Public Hearing on such estimates and Assessment Roll will be held on October 16, 2000, at 8:50 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, at which time and place the Town Board will meet to hear and consider any persons interested in the subject matter thereof.

**BY ORDER OF THE: TOWN BOARD OF THE**  
**TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN, Town Clerk**

October 2, 2000

File: RBUDGETS (P5-6)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPIAK, TO WIT:

**WHEREAS**, the Dog Control Officer of the Town of Lancaster has informed  
the Town Board that a vacancy exists in the position of Assistant Dog Control Officer, Part  
Time, due to the resignation of Timothy Pokrywczynski, and

**WHEREAS**, the Dog Control Officer has recommended the appointment of  
James R. Muench, Jr., 60 Vandenberg Avenue, Lancaster, New York 14086 to the  
aforementioned position of Assistant Dog Control Officer, Part Time.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that **James R. Muench, Jr.**, 60 Vandenberg Avenue, Lancaster,  
New York 14086 be and is hereby appointed to the position of Assistant Dog Control Officer,  
Part Time,, with no health benefits, insurance, sick days, vacation or other benefits, effective  
October 3, 2000, and

**BE IT FURTHER**

**RESOLVED**, that the salary for this position is \$11.14 per hour which is 75%  
of the gross salary, as set forth in the 2000 Schedule of Salaries.

The question of the adoption of the following resolution was duly put to a vote  
on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER ZARBO	VOTED NO
SUPERVISOR GIZA	VOTED YES

October 2, 2000

FILE: RPERS.DCO

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPIAK, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered paid  
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the  
Director of Administration and Finance, to wit:

Claim No. 4363 to Claim No. 4580 Inclusive

Total amount hereby authorized to be paid: \$604,720.72

The question of the foregoing resolution was duly put to a vote on roll call which  
resulted as follows:

COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER PELLETIER	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 2, 2000

File: Relaims

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MONTOUR, TO WIT:

**RESOLVED** that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

**CODES:**

**(SW)** = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

**(CSW)** = Conditional sidewalk waiver.

**NEW PERMITS:**

Pmt #	SW	Applicant Name	Address	Structure
7341		Dusza, Deidre	2 Country Pl	Res. Addition
7342		Kelly, Steven	16 Signal Dr	Er. Fence
7343		Moscato, John	17 Whitestone Ln	Er. Shed
7344		Conway, Scott	4560 Walden Ave	Er. Deck
7345		Warner, Howard	27 Gale Dr	Res. Addition
7346		Windsor Ridge Partners	18 Sussex Ln	Er. Sin. Dwlg
7347		Guzik, Linda	39 Stream View Ln	Res. Addition
7348		Fofi, Mark	13 Hunters Dr	Er. Shed
7349		NVR/Ryan Homes	29 Parkedge Dr	Er. Sin. Dwlg
7350		Marrano/Marc Equity	80 Stony Brook Dr	Er. Sin. Dwlg
7351		Igel, David	6 Broadmoor Ct	Er. Gazebo
7352		Design Works LLC	6337 Transit Rd	Er.Temp. Sign
7353		Roncone, Gregory	19 Fieldstone Ln	Er. Pool
7355		Essex Homes of WNY	9 Quail Run Ln	Er. Sin. Dwlg
7356		Guida, James	6425 Transit Rd	Er. Temp. Sign
7357		Koerner, Kevin	73 Newberry Ln	Res. Alteration
7358		Loschiavo, Steve	1222 Townline Rd	Er. Sin. Dwlg
7359		Dobiesz, Anthony	4 Fieldstone Ln	Er. Shed
7360		Marrano/Marc Equity	390 Seneca Pl	Er. Fence
7361		Ferry, Walter	19 Katelyn Ln	Er. Sin. Dwlg
7362		Miller, David	1 Schiffler Ct	Er. Shed
7363		Peita, Douglas	37 Sagebrush Ln	Er. Shed
7364		Bret, Kelly	22 Schiffler Ct	Er. Shed
7365		Bosse & Wof	187E Home Rd	Er. Sin. Dwlg
7366		Hill, James	6331 Broadway	Er. Deck
7367		Scozzaro, Christopher	30 Willow Ridge Ct	Er. Pool
7368		Scozzaro, Christopher	30 Willow Ridge Ct	Er. Fence
7369		Pulaski, Stanley	1724 Como Park Blvd	Er. Fence
7370		Hooper, Margaret	84 Country Pl	Er. Shed

7371	Transit Wehrle Assoc	6733 Transit Rd	Er. Sign Wall
7372	Summit Construction	6 Lancaster Pkwy	Er. Com. Warehouse
7373	Erny, David	1100 Townline Rd	Er. Shed

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 2, 2000

File:Rbldg2



## COMMUNICATIONS & REPORTS:

673. Building & Zoning Inspector to Town Board -  
Request Town of Lancaster to renew lease of 11 W. Main Street for use as their office.  
DISPOSITION = Supervisor
674. Chief of Police to Planning Board Chairman -  
Transmittal of no objections or comments re: Garden Place Hotel site plan.  
DISPOSITION = Resolution 10/02/2000
675. Chief of Police to Planning Board Chairman -  
Transmittal of no comments re: English Park Village revisions for building #2 site plan, but requests an orderly numbering system for the units. DISPOSITION = Resolution 10/02/2000
676. Chief of Police to Planning Board Chairman -  
Transmittal of no comments re: Nextel Communication Facility/Wireless Communication Tower & Equipment site plan. DISPOSITION = Received and Filed
677. Police Chief to Supervisor -  
Request ordinance re: stop signs in Summerfield Farms Subdivision. DISPOSITION = Resolution 10/02/2000
678. General Crew Chief to Planning Board, Council Members Stempniak & Pelletterie -  
Conveyance of site plan approval for English Park Village (Office Expansion), Nextel Communications Facility and Garden Place Hotel, with no recommendations for landscape plans. DISPOSITION = Received and Filed
679. Darren Swetz to Town Board -  
Transmittal of formal response to the dog shooting on Sunday, September 17, 2000.  
DISPOSITION = Town Attorney
680. Erie County Dept. of Environment & Planning to Building Inspector, Town Attorney -  
Designation of Town as lead agency for SEQR Referral Review re: DPC, Inc.  
DISPOSITION = Planning Committee
681. NYS Dept. of Transportation to Deputy Town Attorney -  
Transmittal of comments re: DPC, Inc. site plan application and concurrence with the Town of Lancaster lead agency designation. DISPOSITION = Planning Committee
682. NYS Dept. of Environmental Conservation to Town Attorney -  
Withdrawal of request for an extension of the review time re: DPC, Inc. site plan and concurrence that the Town should act as Lead Agency. DISPOSITION = Planning Committee
683. Rose Sweeney to Town Board -  
Express concerns re: rezoning application of Ferry Builders, Inc. DISPOSITION = Planning Committee
684. Chairman, Lancaster Planning Board to NYS Thruway Authority -  
Suggestion to move the Thruway toll barrier to a point further east of Gunnville Road.  
DISPOSITION = Received and Filed
685. Town Clerk to Town Board, Director of Administration & Finance -  
Advisement re: the possible need to utilize STAR administrative state aid allocation for unanticipated computer expenses. DISPOSITION = Received and Filed
686. Nikolaos Skaros to Town Clerk -  
Notification of renewal of liquor license for 6529 Broadway. DISPOSITION = Received and Filed
687. Donald Symer to Town Board -  
Transmittal of comments re: Uniland rezoning application. DISPOSITION = Planning Committee


688. NYS Dept. of Environmental Conservation to National Fuel Gas Supply Corporation -  
Advisement of no permit necessary for line U replacement on Westwood Road tributaries  
to Plumb Bottom Creek. DISPOSITION = Received and Filed
689. Bella Vista Group to Erie County Industrial Development Agency, Lancaster School  
Superintendent, Supervisor Town of Lancaster, Erie County Executive -  
Concerns re: current method of determining pilot payments for Industrial Development  
Agency induced projects. DISPOSITION = Lancaster Industrial Development Agency
690. Niagara Frontier Builders Association to Supervisor -  
Express concern re: resolution to increase lot size. DISPOSITION = Planning  
Committee
691. NYS Dept. of State to Supervisor -  
Conveyance of questionnaire re: more restrictive local standards than the New York  
State Uniform Fire Prevention and Building Code in effect in our community.  
DISPOSITION = Received and Filed
692. NYS Board of Real Property Services to Supervisor -  
Notice of Tentative State Equalization Rate for the 2000 Assessment roll.  
DISPOSITION = Received and Filed
693. United States Postal Service to Postal Customer -  
Notice of electronic system for mail delivery. DISPOSITION = Received and Filed
694. Association of Erie County Governments to Association Member -  
Transmittal of two proposed resolutions from August 24, 2000 meeting for  
consideration. DISPOSITION = Received and Filed
695. Chairman, Lancaster Industrial Development Agency to Supervisor -  
Notification of Public Hearing to be held October 19, 2000 re: Agency assistance in the  
form of a taxable Industrial development Agency Revenue Bonds. DISPOSITION =  
Received and Filed
696. Erie County Dept. of Environment & Planning to Supervisor -  
Identification of some projects that may be eligible for funding under the Erie County  
Community Development Block Grant (CDBG). DISPOSITION = Public Hearing on  
10/16/2000
697. Planning Board to Town Board, Town Engineer, Deputy Town Attorney, Building Inspector  
-  
Transmittal of draft copy of minutes from meeting held September 20, 2000.  
DISPOSITION = Received and Filed
698. NYS Archives & Records Administration to Records Management Officer -  
Enclosure of 2000 New York State Archives Week Schedule of Events for Western  
New York. DISPOSITION = Received and Filed
699. Village of Lancaster Clerk-Treasurer to Supervisor, Town Clerk, Building Inspector -  
Conveyance of Village of Lancaster Resolution No. 223 - Authorization of the Town  
of Lancaster Building Inspection Department to provide inspection, codes enforcement,  
and plumbing licenses for the Village of Lancaster. DISPOSITION = Received and  
Filed
700. Intermedia Communications to Town Clerk -  
Expression of commitment to continue to provide quality service even after merger  
with WorldCom. DISPOSITION = Received and Filed
701. Sigmund Kozlowski to Town Board -  
Request increase in lot size. DISPOSITION = Planning Committee
702. American Heart Association to Supervisor Giza -  
Inform the Supervisor re: honor bestowed upon Officer Gerald Gill in his heroic  
actions in saving the life of an apparent heart attack victim. DISPOSITION = Received  
and Filed

703. Linda Miller to Supervisor & Town Board -  
Notification of annual "Halloween in the Park". DISPOSITION = Received and Filed
704. General Crew Chief to Supervisor -  
Request appointment of temporary employee for Fall/Winter program because a previously appointed lifeguard declined the position. DISPOSITION = Resolution 10/02/2000
705. Chief of Police to Chairman Public Safety Committee -  
Recommend no changes in either speed zones or signage for Nichter after completion of traffic study. DISPOSITION = Received and Filed
706. Chief of Police to Chairman Planning Board -  
After review of sketch plan for Windsor Ridge South, he does not approve street names. DISPOSITION = Planning Committee
707. Town Clerk to Various News Media -  
Notice of SEQR Meeting October 2, 2000 re: site plan applications for Garden Place Hotel, English Park Village and Kingdom Hall of Jehovah's Witnesses, and a reconvene on the Uniland project. DISPOSITION = Received and Filed
708. Lancaster Volunteer Ambulance Corps, President to Town Clerk  
Transmittal of Financial Statement and Audit for Fiscal Year April 1, 1999 to March 31, 2000 for the organization. DISPOSITION = Received and Filed
709. Town Engineer to Town Board -  
Recommend approval of Public Improvement Permit # 508 for pavement & curb for Meadowlands Subdivision. DISPOSITION = Received and Filed
710. Town Clerk to Zoning Board Members, Building Inspector and Dep. Town Attorney -  
Transmittal of variance petitions for meeting to be held October 12, 2000. DISPOSITION = Received and Filed
711. Rosemary Stoldt to Town Board -  
Request increase in lot sizes. DISPOSITION = Received and Filed
712. Erie County Executive to Supervisor -  
Conveyance of proposed plan for monies from the proceeds of the recently concluded tobacco settlement. DISPOSITION = Received and Filed
713. Jeanette Dickinson to Town Board -  
Request vote in favor of increase of lot sizes. DISPOSITION = Planning Committee
714. Thomas Dickinson to Town Board -  
Request vote in favor of increase of lot sizes. DISPOSITION = Planning Committee
715. Lancaster Central School District Clerk to Supervisor -  
Proposal for the School Board to meet with the Town Board members on Monday, November 13, 2000 at 6 P.M. DISPOSITION = Supervisor
716. Sharon & Michael Almendinger to Town Board -  
Request increase in lot size. DISPOSITION = Planning Committee
717. Violet Pauly to Town Board -  
Request increase in lot size. DISPOSITION = Planning Committee
718. George & Lorraine Dake to Town Board -  
Request increase in lot size. DISPOSITION = Planning Committee
719. Levin Eberth to Town Board -  
Request increase in lot size. DISPOSITION = Planning Committee
720. Daniel & Christine Mamott to Town Board -  
Request increase in lot size. DISPOSITION = Planning Committee

721. Louis DI Rienzo Jr to Town Board -  
Request increase in lot size. DISPOSITION = Planning Committee
722. John & Judith Roesse to Town Board -  
Request increase in lot size. DISPOSITION = Planning Committee
723. Eric & Mary Ellen Vogel to Town Board -  
Request increase in lot size. DISPOSITION = Planning Committee
724. Kathleen Hapeman to Town Board -  
Request increase in lot size. DISPOSITION = Planning Committee
725. Gerard Kuntz to Town Board -  
Request increase in lot size. DISPOSITION = Planning Committee
726. Mary Rafalski to Town Board -  
Request increase in lot size. DISPOSITION = Planning Committee
727. Ronald Gallagher to Town Board -  
Request increase in lot size. DISPOSITION = Planning Committee
728. Bob & Louise Repka to Town Board -  
Request increase in lot size. DISPOSITION = Planning Committee
729. Louis Monin to Town Board -  
Request increase in lot size. DISPOSITION = Planning Committee
730. Felix & Eleanor Pruski to Town Board -  
Request increase in lot size. DISPOSITION = Planning Committee
731. Michael Zika to Town Board -  
Request increase in lot size. DISPOSITION = Planning Committee
732. Debbie Lett to Town Board -  
Request increase in lot size. DISPOSITION = Planning Committee
733. Kenneth & Dianne Mucha to Town Board -  
Request increase in lot size. DISPOSITION = Planning Committee
734. William & Barbara Peters to Town Board -  
Request information for filing a claim for damage done to vehicle. DISPOSITION =  
Town Attorney
735. William & Barbara Peters to Town Board -  
Request to purchase Town owned real estate. DISPOSITION = Town Attorney
736. Gertrude Krol to Town Board -  
Request increase in lot size. DISPOSITION = Planning Committee
737. Council Member Montour to Joseph Juszczak -  
Notification that it is the consensus of a majority of the Town Board that there is  
insufficient evidence to warrant an investigation of the underlying circumstances  
concerning the hiring of a dispatcher by the Town of Lancaster Police Department.  
DISPOSITION = Received and Filed
738. Roy Schneggenburger to TVGA Engineering -  
Comments re: Williamsville Toll Barrier September 20, 2000 Corfu Public Hearing.  
DISPOSITION = Received and Filed
739. Town Clerk to Town Board -  
Transmittal of 2001 Tentative Budget. DISPOSITION = Received and Filed

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER STEMPNIAK AND SECONDED BY THE  
ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:28 P.M.**

Signed   
Johanna M. Coleman, Town Clerk

# **Town Board Minutes**

## **Meeting No. 28**

### ***Special Meeting***

**October 2, 2000**

## **Town Board Minutes**

**October 2, 2000**

**Meeting No. 28**

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 2<sup>nd</sup> day of October 2000, at 6:00 PM and there were

**PRESENT:**        ROBERT GIZA, SUPERVISOR  
                     MARK MONTOUR, COUNCIL MEMBER  
                     GEORGETTE PELLETTERIE, COUNCIL MEMBER  
                     DONNA STEMPIAK, COUNCIL MEMBER  
                     RICHARD ZARBO, COUNCIL MEMBER  
                     JOHN GOBER, PLANNING BOARD MEMBER  
                     STANLEY KEYSA, PLANNING BOARD CHAIRMAN  
                     MELVIN SZYMANSKI, PLANNING BOARD MEMBER  
                     MILDRED WHITTAKER, PLANNING BOARD MEMBER

**ABSENT:**        FRANK DE CARLO, PLANNING BOARD MEMBER  
                     DAVID MARRANO, PLANNING BOARD MEMBER  
                     STEVEN SOCHA, PLANNING BOARD MEMBER

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
                     RICHARD SHERWOOD, TOWN ATTORNEY  
                     LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR  
                     ROBERT LABENSKI, TOWN ENGINEER

### **PURPOSE OF MEETING:**

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of three (3) actions; namely:

1. Garden Place Hotel site plan
2. English Park Village Expansion site plan
3. Kingdom Hall of Jehovah's Witnesses site plan

**IN THE MATTER OF THE SEQR REVIEW OF THE**

**GARDEN PLACE HOTEL SITE PLAN MATTER**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Garden Place Hotel site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED BY  
PLANNING BOARD MEMBER GOBER, WHO MOVED  
ITS ADOPTION,               SECONDED BY PLANNING  
BOARD MEMBER SZYMANSKI,               TO WIT:

**RESOLVED**, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:**

**GARDEN PLACE HOTEL**

**NEGATIVE DECLARATION**

**PLEASE TAKE NOTICE**, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Richard J. Sherwood, Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed development is of a parcel involving approximately 2.82 acres.

The location of the premises being reviewed is situate at 6615 Transit Road.



## REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.4.
- B. The action will not receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following: (except as noted)
  - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.  
**No significant adverse effects noted**
  - C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.  
**No significant adverse effects noted**
  - C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.  
**No significant adverse effects noted**
  - C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.  
**No significant adverse effects noted**
  - C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.  
**No significant adverse effects noted**
  - C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.  
**No significant adverse effects noted**
  - C.7 Other impacts (including changes in use of either quantity or type of energy).  
**No significant adverse effects noted**
- D. The project will have no impact on the environmental characteristics that caused the establishment of a CEA.

- E. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s \_\_\_\_\_

Robert H. Giza, Supervisor  
Town of Lancaster

SEAL

October 2, 2000

and,

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER MARRANO	WAS ABSENT
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

October 2, 2000

**IN THE MATTER OF THE SEQR REVIEW OF THE  
ENGLISH PARK VILLAGE EXPANSION SITE PLAN MATTER**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the English Park Village extension site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
PLANNING BOARD MEMBER GOBER, TO WIT:

**RESOLVED**, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:  
ENGLISH PARK VILLAGE EXTENSION SITE PLAN  
NEGATIVE DECLARATION**

**PLEASE TAKE NOTICE**, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Richard J. Sherwood, Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed development is of a parcel involving approximately 5.45 acres.

The location of the premises being reviewed is situate at 348 Harris Hill Road.

## REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.4.
- B. The action will not receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following: (except as noted)
  - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.  
**No significant adverse effects noted**
  - C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.  
**No significant adverse effects noted**
  - C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.  
**No significant adverse effects noted**
  - C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.  
**No significant adverse effects noted**
  - C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.  
**No significant adverse effects noted**
  - C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.  
**No significant adverse effects noted**
  - C.7 Other impacts (including changes in use of either quantity or type of energy).  
**No significant adverse effects noted**
- D. The project will have no impact on the environmental characteristics that caused the establishment of a CEA.

- E. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s \_\_\_\_\_

Robert H. Giza, Supervisor  
Town of Lancaster

SEAL

October 2, 2000

and,

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES
PLANNING BOARD MEMBER MARRANO	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

October 2, 2000

**IN THE MATTER OF THE SEQR REVIEW OF THE  
KINGDOM HALL OF JEHOVAH'S WITNESSES SITE PLAN MATTER**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Kingdom Hall of Jehovah's Witnesses matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING MOTION WAS OFFERED BY  
COUNCIL MEMBER STEMPIAK, WHO MOVED  
ITS ADOPTION, SECONDED BY PLANNING  
BOARD MEMBER WHITTAKER, TO WIT:

To table the short Environmental Assessment Review until written comments are received from the State Office of Parks, Recreation, and Historic Preservation.

The question of the adoption of the foregoing motion was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES
PLANNING BOARD MEMBER MARRANO	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The motion to table this Environmental Assessment Review was thereupon unanimously agreed upon.

October 2, 2000

## **TOWN BOARD MINUTES**

**October 2, 2000**

**Meeting No. 28A**

A meeting of the Municipal Review Committee, made up of Members of the Town Board and the Town Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 2nd day of October, 2000 at 6:30 P.M. o'clock, Local Time, and there were:

**PRESENT:** ROBERT GIZA, SUPERVISOR  
MARK MONTOUR, COUNCIL MEMBER  
GEORGETTE PELLETTERIE, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
RICHARD ZARBO, COUNCIL MEMBER  
JOHN GOBER, PLANNING BOARD MEMBER  
STANLEY KEYSA, PLANNING BOARD CHAIRMAN  
MELVIN SZYMANSKI, PLANNING BOARD MEMBER  
MILDRED WHITTAKER, PLANNING BOARD MEMBER

**ABSENT:** FRANK DE CARLO, PLANNING BOARD MEMBER  
DAVID MARRANO, PLANNING BOARD MEMBER  
STEVEN SOCHA, PLANNING BOARD MEMBER

**ALSO PRESENT:** JOHANNA COLEMAN, TOWN CLERK  
RICHARD SHERWOOD, TOWN ATTORNEY  
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR  
ROBERT LABENSKI, TOWN ENGINEER

### **PURPOSE OF MEETING:**

This meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee under the State Environmental Conservation Law and continuing the SEQR Review of the Draft Environmental Impact Statement (DEIS) and scoping submitted by Uniland Development Company for a zoning change of approximately 128 ± acres of land at the northwest corner of Walden Avenue and Pavement Road from AR-Agricultural Residential District and RCO-Residential Commercial Office District to LI-Light Industrial District.

The Town Clerk presented to the members of the Municipal Review Committee written public comments that were received by her office up to 10:00 o'clock A.M., October 2, 2000 on the Draft Environmental Impact Statement (DEIS) previously submitted by Uniland Development Company.

The Town Clerk further presented to the members of the Municipal Review Committee written responses, by the developer, to the public comments.

The developer appeared and made a presentation addressing those areas identified in the scoping session. The public was permitted to ask questions and make comment.



THE FOLLOWING RESOLUTION WAS OFFERED BY  
PLANNING BOARD MEMBER SZYMANSKI, WHO  
MOVED ITS ADOPTION, SECONDED BY PLANNING  
BOARD MEMBER GOBER, TO WIT:

**WHEREAS**, UNILAND DEVELOPMENT COMPANY with offices at University Corporate Center, 100 Corporate Parkway, Amherst, New York, 14226 has petitioned the Town Board of the Town of Lancaster (the "Town") with an application dated July 5, 2000 to amend the Zoning District Map and Zoning Ordinance of the Town to rezone approximately 128± acres of land located at the northwest corner of Walden Avenue and Pavement Road in the Town of Lancaster, County of Erie and State of New York which hereinafter shall be referred to as the "Property", and

**WHEREAS**, the frontage to approximately 300 feet depth is currently zoned as RCO-Residential Commercial Office District and the remainder of the Property is currently zoned as AR-Agricultural Residential District, and

**WHEREAS**, such application is to amend the Town's Zoning District Map and Zoning Ordinance to rezone the Property to LI-Light Industrial District, which hereinafter shall be referred to as the "Action", and

**WHEREAS**, a DEIS was submitted to the Town's Municipal Review Committee (MRC) and the Town Board acting as lead agency, and

**WHEREAS**, a SEQR review was held on August 21, 2000 wherein the Town's MRC reviewed the full Environmental Assessment Form and determined that there were potential environmental impacts that fell within the large classification and identified areas that should be addressed in a scoping session, and furthermore issued a Positive Declaration and accepted the DEIS as complete, and

**WHEREAS**, the Town's MRC and the Applicant undertook a scoping session with respect to the Action and incorporated the DEIS into the scoping session, and

**WHEREAS**, the Town's MRC received comments from the public, which afforded the public with an opportunity to be heard with respect to the Action, and

**WHEREAS**, upon a full and thorough review of the DEIS, the scoping session and the written comments submitted to the Town Clerk, the Town's MRC has determined that the Action will not have a significant adverse impact on the environment, and pursuant to the authority in Section 617.9 (a)(5) has also determined that a final EIS (Environmental Impact Statement) need not be prepared, and

**WHEREAS**, as a part of the Zoning Ordinance of the Lancaster Town Code, the Town has established a site plan review process at Section 50-43 to control development within allowable zoning districts, and such site plan review process will afford a full and thorough opportunity to control the actual development of the Property, and

**WHEREAS**, Uniland Development Company has indicated in the DEIS and at the scoping session that it is willing and able to establish a berm on the northwest corner and west line of the property to buffer the site from residential development on Pleasant View Drive, and

**WHEREAS**, the Walden Avenue industrial corridor is deemed to be the primary industrial area in the Town, and

**WHEREAS**, the area near the Property is zoned for industrial uses and agricultural pursuits in the area have declined significantly over the years, and

**WHEREAS**, the Action or proposed change to the Town's Zoning Ordinance and the Town's Zoning District Map shall be to rezone approximately 128± acres to LI-Light Industrial District, and

**WHEREAS**, the Town's MRC has received through the SEQRA the 128± acres of land more particularly described in Schedule A, attached hereto and made a part hereof, and incorporates its analysis and findings in this resolution and recommends to the Town Board the adoption of such Negative Declaration and requests the Town Attorney to file this resolution with all appropriate and involved agencies in accordance with the requirements of SEQRA, and

**WHEREAS**, the rezone of the Property is consistent with and in furtherance of the intent and objectives of the Town's Comprehensive Plan for land use and the Town's Zoning Ordinance;

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. That amendment of the Zoning Ordinance and Zoning District Map of the Town of Lancaster with respect to the approximate 128± acres of land, more particularly described on Schedule A, attached and made a part hereof, from RCO-Residential Commercial Office District and AR-Agricultural Residential District will not result in a significant and adverse impact on the environment.

2. That any appropriate mitigation measures proposed by Uniland or other interested and involved persons should be reviewed and established in connection with the Site Plan Review process required by the Town's Zoning Ordinance;

3. The Town's Municipal Review Committee has reviewed and hereby adopts the attached negative declaration and all of its supporting documentation with respect to the rezoning of the 128± acres of land more particularly described in Schedule A, attached hereto and made a part hereof, and incorporates its analysis and findings in this resolution and requests the Town Attorney to file this resolution with all appropriate and involved agencies in accordance with the requirements of SEQRA; and

4. This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES
PLANNING BOARD MEMBER MARRANO	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

October 2, 2000

**Robert H. Giza, Supervisor and Member  
of Municipal Review Committee**

SCHEDULE A

**LEGAL DESCRIPTION - UNILAND DEVELOPMENT COMPANY**

Amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property located on the northwest corner of Walden Avenue and Pavement Road (No. 4106 Walden Avenue and No. 502 Pavement Road) in the Town of Lancaster, New York, from an RCO- Residential Commercial Office District and AR- Agricultural- Residential District to an LI-Light Industrial District:

**ZONE "RCO" TO "LI"**

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of Lancaster, County of Erie and State of New York, being parts of Lots 8 and 10, Section 5, Township 11 and Range 6 of the Holland Land Company's Survey, bounded and described as follows:

**BEGINNING** at a point in the easterly line of said Lot 8 in the center of Pavement Road (as a 66 foot wide road) at its point of intersection with the northerly line of Walden Avenue (as a 99 foot wide road);

**RUNNING THENCE** northerly along the easterly line of said Lot 8 also being the centerline of said Pavement Road, a distance of 255.51 feet to a point on the division line between Lone RCO and Zone AR;

**THENCE** westerly along said division line between Zone RCO and Zone AR and parallel with the northerly line of said Walden Avenue at an interior angle of  $78^{\circ}37'48''$ , a distance of 2,714.12 feet to a point on the west line of Lot 10;

**THENCE** southerly along the west line of Lot 10 at an interior angle of  $101^{\circ}29'59''$  a distance of 255.63 feet to a point on the northerly line of said Walden Avenue;

**THENCE** easterly along the northerly line of said Walden Avenue, at an interior angle of  $78^{\circ}30'01''$ , a distance of 2714.71 feet to the point and place of beginning.

**ZONE "AR" TO "LI"**

**ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of Lancaster, County of Erie and State of New York, being parts of Lots 9 and 10 in Section 5, Township 11 and Range 6 of the Holland Land Company's Survey, bounded and described as follows:

**BEGINNING** at a point in the easterly line of said Lot 8 in the center of Pavement Road (as a 66 foot wide road) at its point of intersection with the northerly line of Walden Avenue (as a 99 foot wide road);

**RUNNING THENCE** northerly along the easterly line of said Lot 8 also being the centerline of said Pavement Road, a distance of 255.51 feet to a point on the division line between Zone RCO and Zone Ar, said point being the true point and place of beginning;

**THENCE** continuing northerly along the easterly line of said Lot 8, also being the centerline of said Pavement Road a distance of 1,668.39 feet to a point of intersection with the centerline of Pleasantview Road (as a 66 foot wide road);

**THENCE** westerly along the centerline of said Pleasantview Road, a distance of 1,317.12 feet to a point on the west line of Lot 8 also being the east line of Lot 10;

**THENCE** continuing along the centerline of said Pleasantview Road at an exterior angle of  $155^{\circ}36'54''$  a distance of 504.95 feet to a point;

**THENCE** southerly along a line at an exterior angle of  $111^{\circ}50'31''$  a distance of 290.49 feet to a point;

**THENCE** westerly along a line at an exterior angle of  $92^{\circ}41'09''$  a distance of 867.91 feet to a point on the west line of Lot 10;

**THENCE** southerly along the west line of Lot 10 at an interior angle of  $91^{\circ}11'02''$  a distance of 2,077.32 feet to a point on the division line between Zone RCO and AR;

**THENCE** easterly along the division line between Zone RCO and AR and parallel with the northerly line of Walden Avenue at an interior angle of  $101^{\circ}29'59''$  a distance of 2,714.12 feet to the True point and place of beginning.

**EXCEPTING AND RESERVING THEREFROM** lands conveyed to Iroquois Gas Corporation by deed recorded in Liber 7680 of Deeds at page 571.

**STATE ENVIRONMENTAL QUALITY REVIEW  
NEGATIVE DECLARATION  
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the NYS Environmental Conservation Law.

Date: October 2, 2000

To: Commissioner-NYSDEC, Albany  
NYSDEC - Region 9  
Supervisor Robert Giza, Town of Lancaster  
Erie County - DPW  
Erie County - DEP, Planning  
NYSDOT

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Lead Agency:	Town of Lancaster
Name of Action:	Uniland Rezone
SEQR Status:	Type I
Conditioned Negative Declaration:	No
Description of Action:	Rezone approximately 128 acres from RCO and AR to LI to be rezoned at the northwestern quadrant of the intersection of Walden Avenue and Pavement Road, located in the Town of Lancaster, County of Erie and State of New York.

**SEQR Process:**

The Town Board and the Town's Municipal Review Committee has determined that the proposal is a Type I Action under 6 NYCRR Part 617 - State Environmental Quality Review (SEQR). A Coordinated Review began in August, 2000 with the Town Board acting as Lead Agency. On August 21, 2000 a Determination of Significance was made by the MRC and a Positive Declaration was adopted. The draft scoping was prepared by Uniland and submitted to the Town on August 28, 2000. The Town of Lancaster issued a final scope on October 2, 2000.

An Applicant-prepared Draft Environmental Impact Statement was accepted as complete on August 28, 2000 and filed beginning a public review period in accordance with SEQR. A thirty-day public comment period was set and closed on October 2, 2000 at 10:00 o'clock A.M.

Upon careful consideration of the issues and potential environmental impacts that have been identified during scoping and during the public review period of the Draft Environmental Impact Statement, the Town of Lancaster has determined that the adverse environmental impacts identified will not be significant. The information collected during the development of the Draft Environmental Impact Statement, and the public comment period was used as the basis for this determination.

## REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will result in a small to moderate physical change to the project site with the exception of parking for greater than 1000 vehicles which is a large impact. The project sponsor has no alternative but to provide this size lot given the Town parking requirements for the total build-out of the site.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will have a small to moderate affect on surface or ground water quality or quantity.

It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required.

With respect to the large impact noted by the use of in excess of 20,000 gallons of water per day, the project will have sanitary sewers and ground water will not be affected.

6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will induce more than 1000 vehicle trips in an hour, but this will be limited to the arrival and departure time of employees. There is no alternative. Also, there will be a large increase in the use of industrial land but the site is on a State Road and in an area where industrial zoned property presently exists.
8. The proposed action will not have an affect on threatened or endangered species.
9. The proposed action will have a small to moderate affect on non-threatened or non-endangered species.
10. The proposed action will have a small to moderate affect on agricultural land resources.
11. The proposed action will have a small to moderate affect on aesthetic resources.
12. The proposed action may have a small to moderate impact upon a site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces.
14. The proposed action will not impact on the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g).
15. The proposed action will have a potentially large impact on existing transportation systems, however, the project sponsor will comply with DOT directives for accessing the state highway and will therefore mitigate any potential problems.

16. The proposed action will not affect the community's sources of fuel or energy supply.
17. There will be a small to moderate impact on noise levels, but no objectionable odors.
18. The proposed action will not affect public health and safety.
19. There will be a small to moderate impact on the character of the existing community.
20. There is not, nor is there likely to be, public controversy related to potential adverse environmental impacts.

**SEAL**

s/s \_\_\_\_\_

Robert H. Giza, Supervisor  
Town of Lancaster

October 2, 2000  
and,

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES
PLANNING BOARD MEMBER MARRANO	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

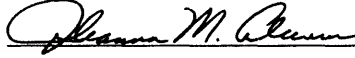
The Notice of Determination was thereupon unanimously adopted.

October 2, 2000



**ADJOURNMENT:**

ON MOTION DULY MADE, SECONDED AND CARRIED, the meetings of  
the Municipal Review Committee were adjourned at 7:20 P.M.

A handwritten signature in cursive script, appearing to read "Johanna M. Coleman", is written over a horizontal line.

Johanna M. Coleman, Town Clerk